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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/904,709      | 07/12/2001  | Jeffrey H. Burbank   | 53951-028           | 2940             |

21890 7590 08/07/2003

PROSKAUER ROSE LLP  
PATENT DEPARTMENT  
1585 BROADWAY  
NEW YORK, NY 10036

EXAMINER

KIM, SUN U

ART UNIT PAPER NUMBER

1723

DATE MAILED: 08/07/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Art Unit: 1723

1. The reply filed on 5/22/03 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): Applicants did not address the following:

- 1) the rejection of claims 15-16 under 35 USC 112, first paragraph.
- 2) the rejection of claims 1-8 and 11 under 35 USC 112, second paragraph.
- 3) the rejection of claims 1-2, 4-8, 11 under 35 USC 102(b) by Antoni et al.
- 4) the rejection of claim 3 under 35 USC 103 by Antoni et al in view of Kane et al.
- 5) the reply did not point out the specific distinctions believed to render the claims, including newly presented claims patentable over any applied references.
- 6) the reply did not clearly point out the patentable novelty which applicants think the claims present in view of the state of the art disclosed by the references cited or the objections made. Applicants also must show how the amendments avoid such references or objections. See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).**


2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to John Kim whose telephone number is (703) 308-2350. The examiner can normally be reached on weekdays from 7:00 AM - 3:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wanda Walker, can be reached on (703) 308-0457. The fax phone number for official response after final action is (703) 872-9311, and the fax phone number for all other official faxes is (703) 872-9310.

Art Unit: 1723

When sending a draft amendment by fax, please mark the paper as "DRAFT"; otherwise, mark the paper "OFFICIAL". This will expedite the processing of the paper.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-0651.

  
**John Kim**  
**Primary Examiner**  
**Art Unit 1723**

J. Kim  
August 6, 2003